

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT
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CHICAGO, ILLINOIS 60606
FAX NO. 312-777-2065

205951

RONALD J. CUCHNA
GENERAL SOLICITOR
312-777-2040

ENTERED
Office of Proceedings

JUL 29 2002

July 26, 2002

Part of
Public Record



GEORGE H. BRANT
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MACK H. SHUMATE, JR.
312-777-2055
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312-777-2047

VIA UPS OVERNIGHT DELIVERY

Mr. Vernon Williams, Secretary
Surface Transportation Board
1925 "K" Street, N.W.
Washington, DC 20423-0001

RE: Docket No. AB-33 (Sub-No. 167X), Union Pacific Railroad Company - Abandonment and Discontinuance Exemption - In Cook County, IL (Skokie Industrial Lead in Skokie, IL)

SUPPLEMENT TO RESPONSE TO FILING OF REQUEST FOR PUBLIC USE CONDITION AND REQUEST FOR INTERIM TRAIL USE BY THE VILLAGE OF SKOKIE, COOK COUNTY, ILLINOIS

Dear Mr. Williams:

In accordance with 49 C.F.R. 1152.28, the Village of Skokie, ("Village"), in addition to its Request for Interim Trail Use filed a Request for Public Use Condition under U.S.C. 10905 with regard to that portion of the Skokie Industrial Lead, (the "Lead"), which extends from Milepost 12.60 near Oakton Street to Milepost 13.64 near Dempster Street, all in the Village of Skokie, Cook County, Illinois.

As indicated in the Union Pacific Railroad Company's, ("UP"), Response to the Village's Request for Interim Trail Use, by Letter Agreement dated March 20, 2002, (the "Letter Agreement"), the UP agreed to sell a small portion of the Lead property, (the "Sale Parcel"), to HCGK Trust, the owner of adjacent property commonly referred to as the Crafty Beaver Lumber Company, ("Crafty Beaver"). The relatively small section of the Lead covered by the Letter Agreement runs from Milepost 12.60 to Milepost 12.81. All terms and conditions for this sale have been negotiated with an expected closing to occur on or about September 1, 2002. Naturally, this sale is contingent upon the UP receiving on or before the closing date, authority to abandon this section of the Lead from the STB with the further proviso that the UP shall have completed all conditions to consummate the abandonment applicable to this section or shall have received a waiver from the STB permitting closing prior to said consummation.

Mr. Vernon Williams
July 26, 2002
Page 2

The Sale Parcel is physically located to the west and rear of Crafty Beaver's existing ownership and terminates on the south at Oakton Street. To the west is a parking lot owned by the Village, which also connects as a public way to Oakton Street. Therefore, the majority of the Sale Parcel would not be needed for a trail and the existing Village owned parking lot would provide an existing public access if not a superior access. However, the northwest corner of the Sale Parcel does not abut to public property owned by the Village. Therefore, Crafty Beaver would have to grant an easement to the Village over a portion of the northwest corner of the Sale Parcel in order to obtain a contiguous trail over the entire Lead with public access from Oakton Street. It is the understanding of the UP that the Village and Crafty Beaver are in negotiations concerning this situation.

Ten (10) additional copies of this letter are enclosed for the Board's use and distribution.

Respectfully submitted,



Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

cc: All parties of record
Terri Guy <Via Fax: 202/565-9002>

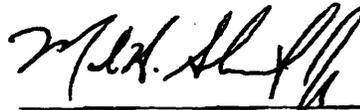
CERTIFICATE OF SERVICE

The undersigned certifies that on July 26, 2002, a copy of the foregoing instrument was served upon the following parties by depositing said instrument in the U.S. Mail, with postage thereon fully prepaid, at 101 North Wacker Drive, Chicago, Illinois 60606, addressed as follows:

JAMES COX, Planner
Village of Skokie
Village Hall
5127 Oakton Street
Skokie, IL 60077

THOMAS F. MCFARLAND, JR., Esq.

<Attorney for Crafty Beaver Home Centers>
208 South LaSalle Street, Suite #1890
Chicago, IL 60604-1194



Mack H. Shumate, Jr.